

REMARKS

Claims 3-5 and 22-33 are pending in the present application. Claims 3, 5, 22, 24, 25, 27, 28, 30, 31, and 33 have been amended. Claims 3-5 and 22-33 are independent claims. The Examiner is respectfully requested to reconsider his rejections in view of the Amendments and the following Remarks.

Drawings

The examiner is respectfully requested to indicate acceptance of the formal drawings filed on July 7, 2000.

Rejections under 35 U.S.C. § 103

Claims 3, 22, 25, 28, and 31 stand rejected under 35 USC § 103(a) as being unpatentable over U.S. Patent No. 6,157,436 to Cok (hereafter "Cok") in view of U.S. Patent No. 6,771,896 to Tamura et al. (hereafter "Tamura").

Claims 4, 23, 26, 29, and 32 stand rejected under 35 USC § 103(a) as being unpatentable over Cok in view of U.S. Patent No. 5,930,810 to Farros et al. (hereafter "Farros").

Claims 5, 24, 27, 30, and 33 stand rejected under 35 USC § 103(a) as being unpatentable over Cok in view of U.S. Patent No. 6,058,277 to Streefkerk et al. (hereafter "Streefkerk").

These rejections, insofar as they pertain to the presently pending claims, are respectfully traversed.

Initially, Applicants point out that MPEP § 2143.03 sets forth the following requirements for a proper rejection under 35 U.S.C. § 103:

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Claims 3, 22, 25, 28, and 31

As amended, independent claims 3, 22, 25, 28, and 31 now recite that the print order device receives a storage medium, reads image data representing an image to be printed from the storage medium, and outputs the print end time to the user. Applicants respectfully submit that these features are neither taught nor suggested by Coq and Tamura.

In page 3 of the Office Action, the Examiner admits that Cok fails to clearly disclose a device in the print processing device for calculating a print end time of the printer according to transmitted image data and order data. However, the Examiner relies on Tamura to remedy this deficiency.

Tamura teaches that the electronic camera 100 of an individual user (e.g., customer) performs the function of transmitting image data and print information (which images to print, no. of prints, etc.) to a transmitter-receiver unit 211 of a printing

apparatus 220 via infrared rays or the like. See Fig. 3 and col. 10, lines 7-16. Tamura further teaches that a main computer 222 of the printing apparatus 220 calculates and outputs the print finishing time on the printing apparatus's display section 224.

The transmitter-receiver unit 211 of Tamura's printing apparatus does not teach or suggest the claimed print order device because it does not receive a storage medium containing image data representing the image to be printed. Instead, Tamura's electronic camera 100 transmits the image data to the transmitter-receiver unit via infrared signals or the like. Likewise, Tamura's electronic camera does not teach or suggest the claimed print order device because it does not output the print finishing time to the user. Thus, like Cok, Tamura fails to provide a teaching or suggestion of the claimed print order device.

Furthermore, Tamura's arrangement is disadvantageous because it requires each customer to own a specialized camera able to transmit image data and print information to a printing apparatus via infrared signals or similar transmission scheme. Thus, a user who comes to the store with only a storage medium, such as a memory card, cannot use Tamura's invention.

Accordingly, Applicants respectfully submit that Cok and Tamura, either taken alone or in combination, fail to teach or suggest each of the claimed features in claims 3, 22, 28, and 31. Thus, Applicants respectfully submit that these claims are in condition for allowance. In light of this, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 4, 23, 26, 29, and 32

Independent claims 4, 23, 26, and 32 recite a print processing device that calculates a print charge according to image and order data transmitted from a print order device. It is respectfully submitted that Cok and Farros fails to disclose these features.

In page 5 of the Office Action, the Examiner admits that Cok fails to disclose calculating a print charge according to the image data transmitted from a print order device. The Examiner relies on Farros to remedy this deficiency. However, Farros fails to disclose a device that calculates a print charge based on image and order data transmitted from another device.

Farros discloses a printing system in which form design information (FDF files), pricing information (Real-Time Pricing Files), and graphic information (PostScript files) are stored together as specialized computer files 105-109. A program module 206 is executed on the same computer on which these computer files reside. The program module allows a customer to use an input device (e.g., keyboard or touch screen) to choose the graphic information to be printed and the design to be used. Using the customer's choices, the program module calculates the price based on the information in the Real-Time Pricing Files, and then sends the relevant graphic information and order data to a remote printing facility 120 (or local printer). See Figs. 1-4 and col. 4, line 37 – col. 5, line 32.

Farros discloses alternative embodiments. In one embodiment (illustrated in Figs. 2-3), the customer makes his choices using the same computer that executes the program module and contains the graphic and pricing information files. See col. 5, line 55 – col. 7, line 5. In the other embodiment (Fig. 4), the program module and graphic and pricing information files are contained on a server computer 406, and the customer uses a separate client computer on the same network to make his choices. See col. 7, lines 7-39. However, in both embodiments, the program module generates the image/order information **and** calculates the print charge, using the form design, pricing, and graphic information in the files 105-109 on the same computer.

Accordingly, the program module in Farros **does not** disclose a device that calculates a print charge using image and order information transmitted by another device. Instead, the same device -- the program module -- generates the image and order information and the print charge using the files on the same computer. As such, Cok and Farros, either taken separately or in combination, fails to teach or suggest the print processing device of the claimed invention.

Applicants respectfully submit that claims 4, 23, 26, and 32 are allowable at least for the reasons set forth above. Therefore, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 5, 24, 27, 30, and 33

As amended, independent claims 5, 24, 27, and 33 now recite transmitting a change instruction for changing the print sequence when a user accepts a print charge associated with the print sequence change. Independent claim 30 recites changing the print sequence and charging a user a print charge associated with the print sequence change. Applicants respectfully submit that the combination of Cok and Streefkerk fail to disclose these features.

In page 6 of the Office Action, the Examiner acknowledges that Cok does not clearly disclose changing a print sequence. The Examiner relies on Streefkerk to remedy this deficiency.

However, Streefkerk fails to disclose anything with respect to a print charge being associated with a change in the print sequence. In fact, Streefkerk does not provide any teaching or suggestion of implementing its system in an environment in which users are charged for their print jobs.

Thus, it is respectfully submitted that claims 5, 24, 27, 30, and 33 are in condition for allowance because Cok and Streefkerk, either taken alone or in combination, fail to teach or suggest each claimed feature. Accordingly, the Examiner is respectfully requested to reconsider and withdraw this rejection.

Conclusion


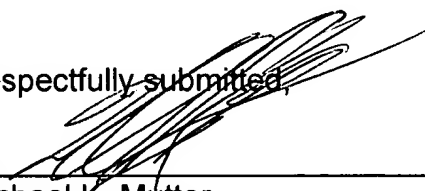
In view of the above amendments and remarks, the Examiner is respectfully requested to reconsider the outstanding rejections and issue a Notice of Allowance in the present application.

Should the Examiner believe that any outstanding matters remain in the present application, the Examiner is respectfully requested to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned to discuss the present application in an effort to expedite prosecution.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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